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16 **UNITED STATES DISTRICT COURT**

17 **CENTRAL DISTRICT OF CALIFORNIA**

18 Freddie Barajas, Marvin Tejeda, Jesus  
19 Jimenez, Eder Jimenez, Jordan Payan,

20 Plaintiffs,

21 vs.

22 City of Maywood, Maywood-Cudahy  
23 Police Department, Bruce Leflar, Paul  
24 Pine, Alvarez, and Does 1-30,

25 Defendants.

Case No. **CV08-03099 GAF**

**CIVIL RIGHTS and RICO  
COMPLAINT WITH INJUNCTIVE  
AND STATE LAW CLAIMS**

**DEMAND FOR JURY TRIAL**

(C/TX)

## INTRODUCTION

1. This is a RICO and civil rights action brought under 42 U.S.C. §1962, 42 U.S.C. §§1983 and 1985, and various related state laws by Plaintiffs against the City of Maywood, the Maywood-Cudahy Police Department, and their employees individually and in their official capacities, for injunctive relief and compensatory and punitive damages because of a continuing systematic abuse of authority, including but not limited to unlawful searches and seizures of person and property; wrongful detentions and arrests, false imprisonments, malicious prosecutions, cover ups, false report writing, use of excessive and unnecessary force, sexual assaults and other acts of lawlessness. Plaintiff(s) first filed this action in *Gonzalez v. City of Maywood*, CV 07 3469 ODW (Shx), on May 29, 2007; on January 28, 2008, the Court ordered the Plaintiffs' actions be severed and refiled as a separate case.

## JURISDICTION

2. This case is brought pursuant to 18 U.S.C. § 1961 and 42 U.S.C. §§ 1983, 1985 and 1986. Jurisdiction is based upon 28 U.S.C. §§ 1331 and 1343 (1-4). This court also has supplemental jurisdiction over the state claims and over defendants pursuant to 28 U.S.C. § 1367. Plaintiffs are victims of City of Maywood employees acting under color of law and within the scope of their authority and pursuant to the policies and practices of the entities.

## VENUE

3. The claims alleged herein arose from events or omissions occurring in the County of Los Angeles. Therefore, venue lies in the Central District of California. 28 U.S.C. 1391(b)(2).

## PLAINTIFFS

4. Plaintiffs are residents of the County of Los Angeles, State of California. At

1 all times material to this complaint, Plaintiffs were private persons in the State of  
2 California, United States of America.

3 **DEFENDANTS**

4 5. Plaintiffs are informed and believe and thereon allege that at all times herein  
5 mentioned defendants City of Maywood, the Maywood-Cudahy Police Department, and  
6 Does 1 through 5, were and are public entities duly organized and existing as such under  
7 the laws of and within the State of California under the laws of the United States and the  
8 laws of the State of California.  
9

10 6. Plaintiffs are informed and believe and thereon allege that at all times herein  
11 mentioned defendants Bruce Leflar, Paul Pine, and Does were and/or are police  
12 supervisors and/or policymakers for the City of Maywood, the Maywood-Cudahy Police  
13 Department and Does 6 through 15, and in such capacity were/are managers and/or chief  
14 administrators and/or policy makers. The named entities, supervisors and Does are  
15 responsible for, among other things, the employment, discharge, training, supervision,  
16 control, assignment and discipline of all sworn and civilian personnel of their entities  
17 and the formulation, promulgation, adoption, application, implementation,  
18 administration, enforcement and revocation of the policies and practices of the named  
19 entities and Does.  
20

21 7. Plaintiffs are informed and believe and thereon allege that the actions of named  
22 and Doe supervisors were committed while employed by the entities and represent the  
23 customs, practices and policies of the entities. The acts herein described and  
24 complained of were committed and done pursuant to policies, rules, regulations,  
25 practices, customs, and/or usages (hereinafter "policies and practices") of the entities  
26 and were created and enforced by the managers and/or supervisors and/or policy makers.  
27

28 8. Plaintiffs are informed and believe and thereon allege that the defendants

1 Alvarez and Does are individual officers or agents of the City of Maywood and/or the  
2 Maywood-Cudahy Police Department and/or others at the times of the acts herein  
3 complained of.

4 9. The true names and capacities of defendants Does 1-30 are presently unknown  
5 to plaintiffs; who therefore sue each of these defendants by such fictitious names; but  
6 upon ascertaining the true identity and/or liability of a defendant Doe, Plaintiffs will  
7 amend this Complaint or seek leave to do so by inserting the true name in lieu of the  
8 fictitious name. Plaintiffs are informed and believe and thereon allege that each  
9 defendant Doe herein is in some manner responsible for the injuries and damages herein  
10 complained of.

#### 12 **INCORPORATION**

13 10. The above paragraphs are hereby repeated, realleged and incorporated by this  
14 reference in each cause of action.

#### 15 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

16 11. On or about January 5, 2007, Alvarez and other unknown Doe officers,  
17 numbering between five and eight, wrongly detained, arrested, assaulted, battered,  
18 threatened and searched Freddie Barajas, Jesus Jimenez, Marvin Tejeda, Eder Jimenez  
19 and Jordan Payan at 3551 East 53<sup>rd</sup> Street in Maywood, and wrote false reports about  
20 them for the purpose of malicious prosecution. Defendants unlawfully entered  
21 Plaintiffs' home. Eder Jimenez obviously suffers from Downs Syndrome and defendants  
22 traumatized him badly. Defendants wrote Plaintiffs tickets for obstructing the sidewalk  
23 when none of these Plaintiffs were on the sidewalk until police ordered them there.  
24 Defendants screamed at Plaintiffs, forced them to the ground, and falsely accused them  
25 of having weapons, drugs and being gang members.

26 12. Plaintiffs are informed and believe and thereon allege that defendants'  
27  
28

1 wrongful conduct included but is not limited to fraud, fraud by wire, obstruction of  
2 justice, kidnaping and bribery.

3 13. Plaintiffs are informed and believe there are numerous other similar victims  
4 of defendants' wrongful acts who are afraid to seek, and/or unable to seek redress  
5 because of their reasonable fears of retaliation, and/or because they are recent  
6 immigrants who are reasonably concerned about the lawfulness of their status, and/or  
7 because they are unable to find representation.  
8

9 14. Plaintiffs complied with the provisions of the California Tort Claims Act.

10 **The Maywood Police Department**

11 15. Plaintiffs are informed and believe and thereon allege that the  
12 Maywood-Cudahy Police Department has for years been a department composed of  
13 persons not conforming their conduct to the requirements of the law, or to established  
14 standards of proper police practices.

15 16. Plaintiffs are informed and believe and thereon allege that the defendants,  
16 officers and supervisors within the Maywood-Cudahy Police Department, invidiously  
17 singled out, targeted and violated the rights of recent immigrants and/or persons  
18 defendants perceived to be recent immigrants because defendants knew that recent  
19 immigrants were easy victims, afraid to exercise their rights, and readily subject to  
20 retaliation if they attempted to exercise their rights.  
21

22 17. Plaintiffs are informed and believe and thereon allege that the violations of  
23 individuals' rights by Maywood-Cudahy officers occurred not because of a few "bad  
24 apples" but is instead the result of a culture of lawlessness permeating the entities and  
25 constituting and/or proximately caused by their routine practices, including a code of  
26 silence and conspiracy to obstruct justice.  
27

28 18. Plaintiffs are informed and believe and thereon allege that the

1 Maywood-Cudahy police department regularly hires police officers who have been  
2 pushed out of other law enforcement agencies for crimes or serious misconduct,  
3 including but not limited to: A former Los Angeles County sheriff's deputy terminated  
4 for abusing jail inmates; a onetime Los Angeles Police Department officer fired for  
5 intimidating a witness; and an ex-Huntington Park officer charged with negligently  
6 shooting a handgun and driving drunk.

7  
8 19. Plaintiffs are informed and believe and thereon allege, based in part upon  
9 allegations contained in a Superior Court complaint filed by Maywood-Cudahy Officer  
10 Pablo Cunningham, one of the named defendants in this action (and in many other  
11 federal civil rights actions, as alleged below), that supervisors required officers to  
12 "engage in racial profiling and quotas," and that Cunningham was "threatened by [  
13 Police Chief Bruce] Leflar with loss of his job after he refused to engage in racial  
14 profiling." Plaintiffs are informed and believe that Cunningham was fired by the  
15 Maywood-Cudahy Police Department and then rehired because he threatened to expose  
16 improprieties within the department.

17  
18 20. Plaintiffs are informed and believe and thereon allege, as pleaded by  
19 Defendant Cunningham his Superior Court complaint, that defendants covered up  
20 misconduct including excessive force, promoted a code of silence and conspiracy to  
21 obstruct justice, hired people unfit to be officers (for improper reasons, including but not  
22 limited to their connections to other City officials), extorted people for sex, and took  
23 kickbacks and bribes.

24 21. Plaintiffs are informed and believe and thereon allege that official public  
25 records document that Pine resided in an apartment owned by the proprietors of a tow  
26 yard. Plaintiffs are informed and believe that the tow yard owner is Maywood Club  
27 Tow.  
28

1           22. Plaintiffs are informed and believe that Pine was permitted to live in the  
2 apartment as a quid pro quo for Pine's assistance in causing the towing, impoundment,  
3 and sale of vehicles, for the illicit gain of Pine, the City of Maywood, the  
4 Maywood-Cudahy Police Department, Does, and others.

5           23. Plaintiffs are informed and believe and thereon allege that Maywood Club  
6 Tow and/or its owners and/or Does gave money and/or things of value to defendants as  
7 a quid pro quo for the assistance and cooperation of defendants in causing the towing,  
8 impoundment, and sale of vehicles.

9           24. Plaintiffs are informed and believe that governing officials of the City of  
10 Maywood received money and/or things of value from Maywood City Tow and/or its  
11 owners, and/or Does as a quid pro quo for, among other things, starting, continuing,  
12 implementing and/or protecting defendants' illicit vehicle towing scheme.

13           25. Plaintiffs are informed and believe that the Cities of Maywood and Cudahy  
14 and the Maywood-Cudahy Police Department did a land-office business with Maywood  
15 Club Tow, towing, impounding, confiscating, and selling vehicles, and reaping huge  
16 profits in doing so, and that Pine and other defendants were personally involved in this  
17 illicit, fraudulent and criminal practice, including the conduct of supposed hearings to  
18 determine whether vehicles should be returned to their owners. The involvement of  
19 defendants including Pine in the hearings made them unfair and deprived vehicle owners  
20 of due process of law.

21           26. Plaintiffs are informed and believe and thereon allege that existence of graft  
22 and corruption, and the knowledge of the graft and corruption, within the  
23 Maywood-Cudahy Police Department and the City of Maywood, including but not  
24 limited to the illicit, fraudulent and criminal scheme to tow, impound and sell vehicles,  
25 made it difficult and/or impossible for any supervisor to exercise meaningful  
26  
27  
28

1 supervision and/or to discipline officers who abused people and violated the law, for  
2 fear that officers would blow the whistle on the corruption and nepotism including but  
3 not limited to the vehicle towing scheme, if any meaningful discipline were threatened  
4 or imposed and proximately caused, fostered and contributed to the code of silence and  
5 conspiracy to obstruct justice within the department.

6 27. Plaintiffs are informed and believe that the code of silence and defendants'  
7 conspiracy to obstruct justice, and an absence of meaningful supervision and discipline,  
8 was each a proximate cause of defendants' violations of Plaintiffs' rights.

9 28. Plaintiffs are informed and believe and thereon allege that the  
10 Maywood-Cudahy Police Department does not have adequate procedures to supervise  
11 and/or discipline its employees, including but not limited to the following:

12 a. Inadequate reporting requirements, including but not limited to  
13 inadequate use-of-force reporting;

14 b. Inadequate procedures for documenting and investigating citizens'  
15 complaints, including but not limited to refusing to accept citizens' complaints,  
16 failing adequately to documents citizens' complaints, failing to investigate  
17 citizens' complaints, and failing to respond to court orders requiring defendants  
18 to disclose citizens' complaints.

19 29. Failures by all the supervisor, manager and policy-making defendants to  
20 provide oversight over the Maywood-Cudahy police, to make them follow the  
21 requirements of the Constitution, and/or to stop officers from making false charges  
22 against innocent persons and lying to support false charges, among other things, make  
23 those defendants liable to plaintiffs.

24 30. Plaintiffs are informed and believe that all the injunctive relief prayed for in  
25 this complaint is necessary to stop the wide-scale violation of peoples' rights by  
26  
27  
28



1 defendants.

### 2 **Scope and Nature of Allegations**

3 31. Plaintiffs are informed and believe and thereupon alleges that officials,  
4 supervisors, policy makers and other individuals with the authority to set or modify  
5 municipal and/or departmental policy, de jure or defacto, of Defendant City of  
6 Maywood, participated in, approved of, ratified and/or failed to prevent the acts by  
7 Defendants City of Maywood, Maywood-Cudahy Police Department, Bruce Leflar, Paul  
8 Pine, Cunningham and Does 1-30, complained of by Plaintiffs.

9  
10 32. Plaintiffs are informed and believe and thereon allege that at all times herein  
11 mentioned, each of the defendants; including officials, supervisors, watch commanders  
12 and other policy makers from Defendant City of Maywood; was the agent, employee or  
13 co-conspirator of one other, some, or all of their Co-defendants. Plaintiffs are informed  
14 believe and thereupon allege that each of the defendants, acting individually, and in  
15 concert with each other, engaged in a common plan wrongfully to deprive Plaintiffs of  
16 Plaintiffs' rights to: security in Plaintiffs' person, property and effects, freedom from  
17 unreasonable searches and seizures, equal protection and due process of law, and of the  
18 right to seek redress and obtain compensation for the wrongs committed against  
19 Plaintiffs.

20  
21 33. In doing each and all of the things herein mentioned, or neglecting or  
22 intentionally failing to rectify said misconduct, each and all defendants were acting  
23 pursuant to a defacto policy and within the scope of such agency, employment and  
24 conspiracy and with full permission, knowledge, approval, ratification and support of  
25 each other.

### 26 **Damages**

27 34. By reason of the aforementioned acts of defendants, and each of them,  
28

1 Plaintiffs were injured in Plaintiffs' health, strength and activity, sustained great mental  
2 pain, suffering and shock to Plaintiffs' nervous systems, torment, anxiety, anguish,  
3 humiliation and severe emotional distress, all to Plaintiffs' damage in an amount  
4 according to proof at trial. As a proximate result of the foregoing wrongful acts of  
5 defendants, and each of them, property belonging to Plaintiffs were damaged and  
6 destroyed in an amount according to proof.

7  
8 35. Plaintiffs are informed and believe and thereon allege that, by reason of the  
9 aforementioned acts of defendants and each of them, Plaintiffs were and/or will in the  
10 future be required to receive hospital, medical, doctor, nursing, dental and psychological  
11 care and treatment, and by reason thereof, will incur expenses related thereto in an  
12 amount according to proof at trial.

13 36. By reason of defendants' wrongful acts, Plaintiffs were injured in Plaintiffs'  
14 businesses and/or property, including but not limited to being unable to work and earn  
15 money, and Plaintiffs will in the future be injured in Plaintiffs' business and/or property  
16 by sustaining a loss and impairment of earnings and earning capacity, in an amount  
17 according to proof at trial. By reason of defendants' code of silence and conspiracy to  
18 obstruct justice, defendants have damaged, impaired and reduced the value of Plaintiffs'  
19 property interests, including but not limited to Plaintiffs' property interest in his right  
20 and/or causes of action to obtain redress and compensation for the wrongs committed  
21 against Plaintiffs.

22  
23 37. Defendants acts were done and committed by each individual defendant  
24 knowingly, deliberately and maliciously with the intent to oppress, injure and harass  
25 Plaintiffs (with the exception of the claims by Plaintiffs based on negligence) and with  
26 reckless indifference to Plaintiffs' civil rights, personal security and safety, and by  
27 reason thereof, Plaintiffs prays for punitive and exemplary damages from and against  
28

individual defendants and each of them in an amount according to proof at trial.

## **CLAIMS FOR RELIEF**

### **FIRST CLAIM FOR RELIEF BY PLAINTIFFS AGAINST ALL DEFENDANTS (Violation of RICO Statute - 18 U.S.C. §§ 1962(c), (d))**

38. This cause of action is brought by Plaintiffs for treble damages for injury to his business or property including but not limited to lost employment and accrued interest resulting from the conduct alleged herein, which violates the provisions of 18 U.S.C. §§ 1961-1968 (hereafter "RICO").

39. The following constitute an enterprise within the meaning of RICO generally and 18 U.S.C. § 1961(4) specifically:

a. The Maywood-Cudahy Police Department;

b. The City of Maywood;

c. Maywood Club Towing Company;

d. The Association in Fact of defendants City of Maywood, Maywood-Cudahy Police Department, Maywood Club Towing Company ("the AIF Enterprise").

40. Plaintiffs are informed and believe and thereon allege that each enterprise alleged herein is an entity distinct from the pattern of racketeering activity alleged herein; is or was an ongoing organization, formal or informal; and functions or functioned as a continuing unit, to wit:

a. The City of Maywood is a public entity with a formal structure and capacity engaging in a wide range of activities, only part of which entails the pattern of racketeering activity alleged in this complaint. The defendants charged with operating it under 18 U.S.C. § 1962 (c) were animated by, among other

1 things, engaging in bribery, obstruction of justice, and fraud.

2 b. The Maywood-Cudahy Police Department is a subdivision of the City  
3 of Maywood and City of Cudahy whose charge is enforcement of the laws of the  
4 State of California and the Cities of Maywood and Cudahy, in which capacity it  
5 has a formal structure and engages in a wide range of activities, only part of  
6 which entails the pattern of racketeering activity alleged in this complaint. The  
7 defendants charged with operating it under 42 U.S.C. § 1962 (c) were animated  
8 by, among other things, bribery, extortion, obstruction of justice, and kidnaping.  
9

10 c. Maywood Club Towing Company is a formally organized business  
11 entity engaged in the business of towing and impounding vehicles under a variety  
12 of circumstances, only part of which entails the pattern of racketeering activity  
13 alleged in this complaint. The defendants charged with operating it under 42  
14 U.S.C. § 1962 (c) were animated by, among other things, the common purpose of  
15 unlawfully impounding vehicles in order to collect and receive the illegal charges  
16 resulting from the impound, and implemented the illegal scheme by mail fraud  
17 and bribery.  
18

19 d. The AIF Enterprise had an ascertainable structure, comprised of the  
20 Maywood-Cudahy Police Department, Maywood Club Towing Company, and the  
21 key individuals who directed the enterprise's unlawful activities which included  
22 but are not limited to Pine and Does. This structure was distinct from the pattern  
23 of racketeering activity in that the enterprise's activities encompassed both lawful  
24 and unlawful activities. The AIF Enterprise's associates were animated by  
25 common purposes, including but not limited to unlawfully and fraudulently  
26 impounding vehicles to collect and receive the illegal charges resulting from the  
27 impound and receive kickbacks, and to cover up and conceal their activities by  
28

1 obstructing justice in state and federal civil and criminal proceedings by means  
2 of a code of silence. The AIF Enterprise functioned as a continuing unit with  
3 continuity in both structure and personnel.

4 41. The activities of the enterprises affect interstate commerce in numerous ways,  
5 including but not limited to: 1) the use of interstate mail, telephone and wires (including  
6 transmission and dissemination of false arrests and false criminal charges); 2) the  
7 purchase of materials for use in the enterprises which materials were in the stream of  
8 interstate commerce; 3) the provision of federal funds to the Maywood-Cudahy Police  
9 Department, received through the stream of interstate commerce; 4) oversight by federal  
10 governmental entities of various of the activities of the Maywood-Cudahy Police  
11 Department and/or the City of Maywood, involving interstate travel and the expenditure  
12 of funds through the stream of interstate commerce; 5) the interstate travel of various  
13 of the owners of impounded vehicles to retrieve their impounded vehicles or attempt to  
14 do so; 6) the travel, paid from proceeds of the pattern of racketeering activity alleged  
15 herein, of members of the Maywood-Cudahy Police Department from California to Las  
16 Vegas; 7) the purchase of tow trucks, and gasoline and equipment for said trucks, used  
17 in furtherance of the pattern of racketeering activity alleged herein that reached the  
18 purchasers through the stream of interstate commerce.

19 42. Defendants' racketeering activities included but are not limited to the  
20 following:

21 a. Condoning and encouraging the fabrication of evidence including but  
22 not limited to the filing of materially false police reports intended to be used in  
23 state and federal civil and criminal proceedings;

24 b. Condoning and encouraging a "code of silence," which keeps and/or  
25 dissuades employees from reporting the misdeeds of fellow employees, and/or  
26  
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28

1 causes and/or facilitates the preparation, submission and use of false official  
2 reports, and/or making false official statements, and/or perjury; and which thereby  
3 obstructs justice in official proceedings, including but not limited to state and  
4 federal criminal investigations and proceedings, and/or state and federal civil  
5 investigations and proceedings;

6 c. Condoning and encouraging officers in the belief that their failure or  
7 refusal to participate in the "code of silence" or to cover up or conceal the  
8 misconduct of other officers will cause them to be ostracized by other officers,  
9 will adversely affect their ability to get support from other officers in dangerous  
10 and/or life-threatening situations in the field and will adversely affect their  
11 opportunities for promotion and other employment benefits, and which thereby  
12 obstructs justice in official proceedings, including but not limited to state and  
13 federal criminal investigations and proceedings, and/or state and federal civil  
14 investigations and proceedings;

15 d. Condoning and encouraging the acceptance of "gratuities," "kickbacks,"  
16 and/or other wrongful and/or illicit compensation, which has the effect of  
17 strengthening defendants' code of silence and conspiracy to obstruct justice by  
18 making all department employees, including but not limited to supervisors,  
19 vulnerable to accusations of misconduct and unable and/or unwilling to  
20 accurately report misconduct, and/or to supervise and/or discipline subordinates.

21 43. Plaintiffs are informed and believe that defendants' code of silence and  
22 conspiracy to obstruct justice is and was operative in many state and federal  
23 proceedings, including but not limited to the following federal cases:

24 a. *Jose Rodriguez and Guillermo De La Torre v. City of Maywood*, CV  
25 99-9898 CBM (Ex);  
26  
27  
28

- 1                   b. *Ortiz v. City of Maywood, Pablo Cunningham, et.al.*, CV 06-3622 DSF  
 2                   (FMOx);
- 3                   c. *Flores v. City of Maywood, Pablo Cunningham*, CV 04-7565 GPS (Ex)  
 4                   d. *Pacheco v. City of Maywood, Pablo Cunningham, et.al.*, CV 06-7613  
 5                   PSG (FFMx);
- 6                   e. *Cruz v. City of Maywood, Paul [Pablo] Cunningham*, CV 07-1999 PSG  
 7                   (JCx);
- 8                   f. *Sena v. City of Maywood, et.al.*, CV 07-1724 AHM (Jcx);
- 9                   g. *Trujillo v. City of Maywood, et.al.*, CV 06-2738 PA (VBKx);
- 10                  h. *Gonzalez v. City of Maywood, et.al.*, CV 05-6953 RJK (VBKx);
- 11                  i. *Anderson (Estate) v. City of Maywood, et.al.*, CV 04-10119 RGK (Shx);
- 12                  j. *Densmore v. Maywood, et.al.*, CV 06-3535 PSG (RZx).

14                                   **SECOND CAUSE OF ACTION**  
 15                                   **(Violation of Civil Rights - 42 U.S.C. § 1983)**  
 16                                   ***Monell and Supervisorial Liability***

17                  44. Plaintiffs are informed and believe and thereon allege that at all times herein  
 18 mentioned, above named defendants with deliberate indifference, gross negligence  
 19 and/or reckless disregard for the safety, security and constitutional and statutory rights  
 20 of Plaintiffs maintained, enforced, tolerated, permitted, acquiesced in, and/or applied  
 21 *inter alia* policies and practices which included directing and controlling the unlawful  
 22 acts complained of herein.

23                  45. Said defendants and each of them, acting under color of state law, have  
 24 deprived Plaintiffs of rights, privileges, and immunities secured by the Constitution and  
 25 laws of the United States, in particular by the First, Fourth, Fourteenth Amendments to  
 26 the United States Constitution by *inter alia* maintaining, enforcing, tolerating,  
 27 permitting, acquiescing and, and/or applying the policies and practices set forth above.  
 28

1 As a direct and proximate result of those policies and practices, Plaintiffs sustained  
2 injury and damage as described herein.

3 46. Plaintiffs are informed and believe and thereon allege that the supervisorial  
4 defendants ordered, authorized, acquiesced in, tolerated, or permitted other defendants  
5 herein to engage in the unlawful and unconstitutional actions, policies, and practices set  
6 forth above. Defendants' conduct alleged herein constitutes a pattern of illicit law  
7 enforcement behavior, and statutory and constitutional violations based either on a  
8 deliberate plan by defendants or on defendants' deliberate indifference, gross  
9 negligence, or reckless disregard for the safety, security and constitutional and statutory  
10 rights of Plaintiffs which violations include:

12 a. Stopping, detaining, and/or arresting people and/or entering homes,  
13 and/or searching and/or seizing property and people, without required warrants,  
14 reasonable suspicion and/or probable cause;

15 b. Using unreasonable and/or excessive force;

16 c. Allowing and/or encouraging employees to brutalize, hurt and/or injure  
17 members of the public, by failing to require effective use-of-force training,  
18 supervision, discipline and reporting, including but not limited to not requiring  
19 employees to report uses of force, by permitting and/or encouraging false and/or  
20 misleading and/or incomplete reporting, and/or by failing adequately to monitor  
21 employee uses of force;

22 d. Condoning, tolerating and/or acquiescing in officers' engaging in racist  
23 conduct and/or racially motivated attacks on minority members of the community,  
24 and/or using racist speech when speaking with minorities and/or denigrating the  
25 race and/or nationality of minority members of the community;

26 e. Condoning, tolerating and/or acquiescing in officers' sexually abusing  
27  
28



1 members of the community, including minors;

2 f. Failing adequately to investigate incidents involving the use of  
3 unreasonable force and/or other misconduct;

4 g. Conducting investigations in such a manner as to conceal misconduct,  
5 including but not limited to using investigative techniques and procedures known  
6 to have that effect;

7 h. Condoning and encouraging the fabrication of evidence including but  
8 not limited to the filing of materially false police reports;

9 i. Condoning and encouraging a "code of silence," which keeps and/or  
10 dissuades employees from reporting the misdeeds of fellow employees, and/or  
11 causes and/or facilitates the preparation, submission and use of false official  
12 reports, and/or making false official statements, and/or perjury; and which thereby  
13 obstructs justice in official proceedings, including but not limited to state and  
14 federal criminal investigations and proceedings, and/or state and federal civil  
15 investigations and proceedings;

16 j. Condoning and encouraging officers in the belief that their failure or  
17 refusal to participate in the "code of silence" or to cover up or conceal the  
18 misconduct of other officers will cause them to be ostracized by other officers,  
19 will adversely affect their ability to get support from other officers in dangerous  
20 and/or life-threatening situations in the field and will adversely affect their  
21 opportunities for promotion and other employment benefits, and which thereby  
22 obstructs justice in official proceedings, including but not limited to state and  
23 federal criminal investigations and proceedings, and/or state and federal civil  
24 investigations and proceedings;

25 k. Condoning and encouraging the acceptance of "gratuities," "kickbacks,"  
26  
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1 and/or other wrongful and/or illicit compensation, which has the effect of making  
2 supervisors within the department vulnerable to accusations of misconduct and  
3 unable and/or unwilling to effectively supervise and/or discipline subordinates;

4 1. Hiring individuals who are unsuited for police work, including but not  
5 limited to hiring individuals who have been fired or disciplined by other law  
6 enforcement agencies because they engaged in misconduct; and/or failing to  
7 conduct appropriate and/or required background investigations.

8  
9 47. Defendants and each of them, acting under color of state law, have deprived  
10 Plaintiffs of rights, privileges, and immunities secured by the Constitution and laws of  
11 the United States, in particular by the First, Fourth, and Fourteenth Amendments to the  
12 United States Constitution by *inter alia* maintaining, enforcing, tolerating, permitting,  
13 acquiescing and, and/or applying the policies and practices set forth above. As a direct  
14 and proximate result of those policies and practices, Plaintiffs have sustained injury and  
15 damage as described hereinafter.

16  
17 48. Plaintiffs are informed and believe and thereon allege that defendant entities  
18 and supervisorial defendants ordered, authorized, acquiesced in, tolerated, or permitted  
19 other defendants herein to engage in the unlawful and unconstitutional actions, policies,  
20 and practices set forth above. Defendants' conduct alleged herein constitutes a pattern  
21 of intimidation, illicit law enforcement behavior, and statutory and constitutional  
22 violations based either on a deliberate plan by defendants or on defendants' deliberate  
23 indifference, gross negligence, or reckless disregard for the safety, security and  
24 constitutional and statutory rights of Plaintiffs.

25  
26 **THIRD CAUSE OF ACTION**  
27 **(Violation of Civil Rights - 42 U.S.C. § 1983)**  
28 **Against All Individually Named Defendants**

49. Defendants and each of them, acting under color of state law, did without

1 probable cause and by use of excessive force unlawfully detain, arrest, batter, search,  
2 molest and write false reports about Plaintiffs, and did do all of the above in a  
3 conspiratorial manner for the purpose of illegally obtaining criminal conviction(s)  
4 against Plaintiffs and to conceal their own wrongdoing and did also do so to intimidate  
5 Plaintiffs' witness(es) in said criminal prosecutions for the same improper purposes, all  
6 of which were intended with deliberate indifference of and reckless disregard for  
7 Plaintiffs' constitutional rights under the First, Fourth and Fourteenth Amendments to  
8 the United States Constitution. As a direct and proximate result of defendants' acts,  
9 Plaintiffs sustained injury and damage as set forth herein.  
10

11 **FOURTH CAUSE OF ACTION**  
12 **(Violation of 42 U.S.C. §1985(2))**  
13 **Against All Individually Named Defendants**

14 50. Defendants, and two or more of them, in the State of California, County of  
15 Los Angeles, and City of Maywood-Cudahy, by reason of Defendants' animus against  
16 minorities, including Plaintiffs' Latino heritage and invidious animus, conspired  
17 together to act and to fail and omit to act as hereinbefore alleged, for the purpose of (I)  
18 impeding, hindering, obstructing, and defeating the due course of justice in the State of  
19 California and County of Los Angeles, (ii) to deny Plaintiffs Plaintiffs' right to free  
20 speech, (iv) to deny equal protection of the laws to Plaintiffs and (v) to subject  
21 Plaintiffs' persons and property to unlawful search and seizure thereby depriving  
22 Plaintiffs of immunities secured by the Constitution and the laws of the United States,  
23 including the First, Fourth and Fourteenth Amendments to the Unites States  
24 Constitution, by, *inter alia*, ordering, authorizing, maintaining, enforcing, tolerating,  
25 ratifying, permitting, acquiescing in, and/or applying the policies and practices set forth  
26 hereinabove. Defendants' conspiracy was and is motivated by animus directed against  
27 Plaintiffs because of Plaintiffs' race, color or national origin, and/or by the race, color,  
28

1 or national origin of persons with whom they associated, and/or by other class-based,  
2 invidiously discriminatory animus directed against Plaintiffs. In furtherance of the  
3 conspiracy one or more of the defendants committed one or more of the overt acts set  
4 forth hereinabove which did in fact deprive Plaintiffs of equal rights, privileges or  
5 immunities.

6 51. Defendants, and each of them, purposefully, under color of law, planned and  
7 conspired to deny Plaintiffs equal protection of the laws in the following respects:  
8

9 a. to deny the right to be free from unreasonable search and seizure;

10 b. to deny the right not to be deprived of life, property or liberty without  
11 due process of law;

12 c. to deny the right of free speech;

13 d. to be free from use of excessive force.

14 52. By virtue of the foregoing, defendants, and each of them, violated 42 U.S.C.  
15 §1985(2).  
16

17 53. As a direct and proximate result of the foregoing, Plaintiffs have been  
18 damaged as recited above and demand and isentitled to the damages recited above,  
19 including, but not limited to, general and punitive damages (except entities) and  
20 attorney's fees.

21 **FIFTH CAUSE OF ACTION**  
22 **(Violation of 42 U.S.C. §1985(3))**  
**Against All Individually Named Defendants**

23 54. By virtue of the foregoing, Defendants, and two or more of them, conspired  
24 for the purpose of:

25 a. depriving Plaintiffs of (1) equal protection of the law; and (2) liberty  
26 and property without due process of law.

27 55. Defendants, and each of them, did and caused to be done, an act or acts in  
28

1 furtherance of the object of the conspiracy, whereby Plaintiffs were deprived of the  
2 rights and privileges as set forth above.

3 56. As a direct and proximate result of the foregoing, Plaintiffs are entitled to and  
4 demands damages against defendants, jointly and severally, as recited in the First and  
5 Second Causes of Action, including, but not limited to, general and punitive damages  
6 (except entities) and attorneys fees.  
7

8 **SIXTH CAUSE OF ACTION**  
9 **(California Constitution, Article I, §§ 1, 7, and 13)**  
10 **Against All Defendants**

11 57. The conduct of each defendant in detaining, searching, arresting, and  
12 assaulting Plaintiffs and in threatening and in doing or failing to do the other wrongful  
13 acts herein alleged was done for the purpose of interfering with and attempting to  
14 interfere with Plaintiffs' rights to freedom of expression, to be free from unreasonable  
15 invasions of their privacy and unreasonable search and seizure, and to be accorded due  
16 process and equal protection under Article I, §§ 1, 7 and 13 of the California  
17 Constitution.

18 **SEVENTH CAUSE OF ACTION**  
19 **(California Civil Code §52.1)**  
20 **Against All Defendants**

21 58. The conduct of each defendant in detaining, searching, and assaulting  
22 Plaintiffs and in threatening and in doing or failing to do the other wrongful acts herein  
23 alleged was done for the purpose of interfering with and attempting to interfere with  
24 Plaintiffs' rights under the First, Fourth and Fourteenth Amendments and Plaintiffs'  
25 right to freedom of expression, to be free from unreasonable invasions of his privacy and  
26 unreasonable search and seizure and accorded due process and equal protection under  
27 Article I, §§ 1, 7, 12, and 13 of the California Constitution, and for that reason violated  
28 Plaintiffs' rights under California Civil Code Section 52.1(b). Plaintiffs are informed

1 and believe and thereon allege that the defendants' wrongful acts were done maliciously  
2 and criminally and for the purpose of inflicting injury on Plaintiffs.

3 59. As the proximate cause of defendants' and each of their conduct as  
4 hereinbefore alleged, Plaintiffs have been damaged in an amount not presently  
5 ascertained, but subject to proof at trial.

6 60. Plaintiffs are informed and believe and thereon allege that Defendants' and  
7 each of their conduct was malicious, willful, fraudulent and oppressive, done with a  
8 conscious disregard for Plaintiffs' rights and with the intent to injure Plaintiffs, thereby  
9 justifying the award of exemplary damages (except for entities) in a sum to be  
10 determined according to proof.

12 **EIGHTH CAUSE OF ACTION**  
13 **(California Civil Code Section 51.7)**  
14 **Against All Defendants**

15 61. Plaintiffs are informed and believe and thereon allege that the conduct of  
16 each defendant in using force upon and injuring Plaintiffs and in threatening and  
17 attempting to use force upon and injure Plaintiffs, and in doing or failing to do the other  
18 wrongful acts herein alleged was motivated by defendants' invidious racial and/or ethnic  
19 and/or other impermissible animus toward Plaintiffs, and for that reason violated  
20 Plaintiffs' rights under California Civil Code § 51.7. Plaintiffs are informed and believe  
21 and thereon allege that the defendants' wrongful acts were done maliciously and  
22 criminally and for the purpose of inflicting injury on Plaintiffs.

23 **NINTH CAUSE OF ACTION**  
24 **(Assault and Battery)**  
25 **Against all Defendants**

26 62. At the date, time and location, defendants, and each of them, as either  
27 employees, supervisors or employees in the course and scope of their duties  
28 intentionally and maliciously abused Plaintiffs by reason of the acts alleged herein

1 above causing Plaintiffs, without provocation, necessity or lawful justification, to suffer  
2 said violations of their civil rights.

3 63. As a proximate result of the acts of defendants, and each of them, as herein  
4 alleged, Plaintiffs were compelled to expend money all to their damage in an amount  
5 according to proof.

6 64. As a proximate result of the acts of defendants, and each of them, Plaintiffs  
7 were injured in health, strength and activity, sustaining injuries to body and shock and  
8 injury to nervous systems and persons; all of which injuries have caused Plaintiffs to  
9 suffer severe pain and mental anguish.

10 65. As a further proximate result of the acts of defendants, and each of them,  
11 Plaintiffs were required to and/or did employ physicians and surgeons for medical  
12 examination, treatment and care of injuries, and did incur medical and incidental  
13 expenses. Plaintiffs did incur and will incur further treatment, the exact amount of  
14 which is unknown at this time.

15 66. As a further proximate result of the acts of defendants, Plaintiffs were  
16 prevented from attending to his usual occupations and thereby lost earnings and income.

17 67. The acts of defendants, and each of them, were willful, malicious and  
18 oppressive, in conscious disregard of Plaintiffs' known rights and thereby justify the  
19 awarding of exemplary damages (except entities) according to proof.

20  
21  
22 **TENTH CAUSE OF ACTION**  
23 **(Intentional Infliction of Emotional Distress)**  
24 **Against all Defendants**

25 68. Plaintiffs were entitled to the due care, service and protection of the entities  
26 and their officers and medical staff.

27 69. On or about the dates alleged above and thereafter, Defendants caused the  
28 Plaintiffs to be unlawfully detained, seized, beaten and/or otherwise abused without

1 reasonable cause or justification.

2 70. In doing the aforementioned acts, defendants' conduct was intentional,  
3 outrageous, malicious, and done for the specific purpose of causing Plaintiffs to suffer  
4 extreme emotional distress, indignity, fear, anxiety, and mental anguish.

5 71. As a direct and proximate result of the foregoing, Plaintiffs have suffered, and  
6 continue to suffer, severe mental, emotional and physical distress and are entitled to and  
7 demands damages against defendants.  
8

9 **ELEVENTH CAUSE OF ACTION**  
10 **(Negligent Employment Civil Code §1714)**  
11 **Against Entities and Supervisor Defendants**

12 72. Defendant entities and supervisor defendants knew or in the exercise of due  
13 care should have known, that individually named defendants and Does 1 Through 30  
14 inclusive, and each of them, had a propensity, character trait, and practice for  
15 dishonesty, deception, abuse of authority, harassment, and violence without justification  
16 against Plaintiffs and other members of the public.

17 73. At all times material herein, said Defendant entities and supervisors knew or  
18 with reasonable care should have known, that the aforescribed traits of character,  
19 practices and propensities of defendants and Does 1 through 30 inclusive, and each of  
20 them, made them unfit to serve as law enforcement officers.

21 74. Notwithstanding such knowledge, Defendant entities and supervisors  
22 negligently and carelessly employed and retained and failed to properly supervise, train  
23 and control defendants and Does 1 through 30 inclusive, and each of them, as employees  
24 and assigned said defendants to duties which enabled each of them to abuse their  
25 authority, including but not limited to making unlawful detentions and arrests by use of  
26 excessive force, warrantless arrests, fabricating probable cause and crimes, causing the  
27 fraudulent and malicious criminal prosecution of innocent persons while purporting to  
28



1 act under the color of law.

2 75. As a proximate result of the negligent retention and supervision of defendant  
3 entities and supervisors and each of them, Plaintiffs suffered damages and injuries,  
4 including but not limited to false arrests/detentions, beatings, malicious prosecutions,  
5 severe mental anguish, emotional distress, severe embarrassment, financial losses, all  
6 to the Plaintiffs' damage in a sum according to proof.  
7

8 **TWELFTH CAUSE OF ACTION**  
9 **(Negligence/Civil Code § 1714))**  
10 **Against All Defendants**

11 76. Plaintiffs allege that by the actions or omissions set forth above, all  
12 defendants failed to use and exercise reasonable care as is required by Civil Code §  
13 1714. In particular, defendants failed to exercise reasonable care in its conduct in the  
14 exercise of their duties.

15 77. As a proximate result of the negligence and carelessness of defendants, and  
16 each of them, Plaintiffs suffered damages as alleged above in a sum according to proof.

17 **INJUNCTIVE RELIEF**

18 78. Plaintiffs are informed and believe and thereon allege that, unless enjoined,  
19 as requested in the prayer, defendants will continue to engage in the unlawful acts and  
20 in the policies and practices described above, in violation of the legal and constitutional  
21 rights of the Plaintiffs. Plaintiffs face the real and immediate threat of repeated and  
22 irreparable injury and continuing, present adverse effects as a result of the unlawful  
23 misconduct, policies and practices of the defendants. Plaintiffs have no adequate and  
24 complete remedy at law.

25 **PRAYER**

26 Wherefore, Plaintiffs pray judgment against defendants and each of them, as  
27 follows:  
28

1 As to each cause of action at to each Plaintiffs as applicable:

2 1. For general damages according to proof;

3 2. For special damages according to proof;

4 3. For statutory damages under Cal. Civ. Code §§ 52(a) and/or (b), 52.1(b),  
5 California Code of Civil Procedure 1021.5, and under any other applicable statute or  
6 theory;

7 4. For punitive damages against each individual Defendant;

8 5. For attorney's fees pursuant to 42 U.S.C. §1988, California Civil Code §52.1,  
9 California Code of Civil Procedure 1021.5, and under any other applicable statute or  
10 theory;

11 6. For costs of suit;

12 7. Declaring, pursuant to 28 U.S.C. §§ 2201-2202 that the acts, policies, rules,  
13 regulations, practices, customs, and usages that the defendants engaged in as set forth  
14 above violate the legal and constitutional rights of the Plaintiffs.

15 8. Permanently enjoining defendants and their agents, employees, and successors,  
16 and all persons in active concert or participation with defendants, from engaging in the  
17 unlawful and unconstitutional acts, policies, rules, regulations, practices, customs, and  
18 usages set forth above.

19 9. Placing the Maywood-Cudahy Police Department under the direct supervision  
20 and control of a receiver or special master to be appointed by the Court; directing the  
21 receiver or special master to review all existing written and unwritten policies and  
22 procedures of defendants with respect to the acts, policies, rules, regulations, practices,  
23 customs, and usages set forth above; directing the receiver or special master to modify,  
24 amend, or revoke, or to confirm and enforce, existing policies and procedures and to  
25 establish such new or additional written policies and procedures as may be necessary  
26  
27  
28

1 and proper; and directing the receiver or special master to implement and enforce  
2 appropriate written policies and procedures with respect to the following subjects,  
3 among others:

4 a. Ensuring compliance with constitutional standards governing the use of  
5 firearms, the use of force, the conduct of searches, and the use of deadly force.

6 b. Providing adequate training, certification, and periodic recertification  
7 of all officers in the lawful use of force, including firearms and other deadly  
8 force.

9 c. Specifying departmentally approved weaponless control techniques,  
10 and providing for adequate training, certification, and periodic recertification of  
11 all officers in the use of such techniques.

12 d. Ensuring that members of the public injured by officers receive prompt  
13 and appropriate medical care, and that their injuries are catalogued and recorded  
14 in police reports and by photographs of all such injuries.

15 e. Requiring that all persons in custody be transported to a hospital for  
16 examination and treatment by a medical doctor whenever:

17 i. the person sustains a head injury, strikes his or her head on a  
18 hard object, or sustains a blow to the head, regardless of how  
19 minor any such injury may appear;

20 ii. the person is choked or is subjected to any control hold  
21 involving the neck, regardless of whether or not the person is  
22 rendered unconscious;

23 iii. the person has any injuries that appear to require medical  
24 attention;

25 iv. the person requests medical treatment, regardless of whether  
26  
27  
28

1 or not the person has any apparent injuries.

2 f. Prohibiting the use of saps in any circumstances, and prohibiting the use  
3 of head strikes and strikes to other vital areas of the body by batons or  
4 flashlights, punches or kicks, except in cases where there is legal justification for  
5 the use of deadly force.

6 g. Requiring that searches be conducted in a manner which inflicts the  
7 least amount of damage necessary in order to conduct an adequate search; that  
8 officers be required to photograph or videotape the premises before and after each  
9 and every search; that officers return to their original location and condition all  
10 items displaced in any search; and that the Maywood-Cudahy Police Department  
11 pay for the repair or replacement of any property unnecessarily damaged or  
12 destroyed in the course of any search.

13 h. Recording in writing each instance in which an officer is involved in the  
14 use of force in arresting a suspect or in detaining any person, regardless of  
15 whether an arrest is made.

16 i. Requiring that any officer who participates in or witnesses any incident  
17 involving the use of force by an officer shall prepare and submit a departmental  
18 report containing detailed information regarding the incident, including:  
19

- 20
- 21 i. A full description of the actions of the suspect or member of  
22 the public which made the use of force necessary;
  - 23 ii. A full description of the specific force used or observed by  
24 the officer;
  - 25 iii. A full description of any injuries or complaints of injuries  
26 sustained by the suspect or member of the public, including  
27 photographs or videotapes of the suspect or member of the  
28

1 public;

2 iv. A full description of any medical treatment received by and  
3 any refusal of such treatment by the suspect or member of the  
4 public.

5 j. Establishing a system that allows an immediate on-duty supervisor to  
6 readily access a historical record of any officer who has used force in a period of  
7 at least the last 5 years, including the identity of the officer(s) involved in the use  
8 of force, the file number(s) of the report(s) in which the use of force is reported,  
9 and a description of the nature of the force used (*e.g.*, "intentional head strike  
10 with baton"; "accidental head strike with flashlight"); requiring periodic review  
11 of such records for patterns of unjustified use of force by officers and institution  
12 of disciplinary proceedings where appropriate; requiring review of such records  
13 whenever a supervisor prepares a departmental performance evaluation of any  
14 officer; and requiring that performance evaluations include documentation of any  
15 patterns concerning the unjustified use of force.  
16

17 k. Providing that, in any situation in which deadly force has been used by  
18 an officer and death or serious injury has resulted, there shall be an administrative  
19 review of the use of force to determine whether it was in compliance with  
20 departmental policy and constitutional standards, and whether departmental  
21 policy should be modified in view of the circumstances surrounding the use of  
22 such force.  
23

24 l. Requiring that, in departmental investigations of officer-involved  
25 shootings, other use of deadly force by officers, or complaints of officer  
26 misconduct:

27 i. all percipient witnesses (including officers) be segregated  
28

1 from each other as soon as practicable after the incident;

2 ii. such witnesses not be permitted to discuss the incident with  
3 any other witness until after all witnesses have been  
4 interviewed by departmental investigators;

5 iii. such witnesses not be informed of the contents or substance  
6 of the statements of other witnesses until after all witnesses  
7 have been interviewed by departmental investigators; and

8 iv. all witness interviews, including interviews of involved  
9 officers, be fully and completely tape-recorded.  
10

11 m. Indexing by individual officer and maintaining files of complaints by  
12 members of the public, Cal. Govt. Code § 910 claims, and lawsuits concerning  
13 officer misconduct; adequately investigating such complaints, claims, and  
14 lawsuits; and using such files to monitor the conduct of officers.

15 n. Requiring psychological testing and counseling of officers with a record  
16 of using unreasonable or excessive force, making false arrests, filing false  
17 charges, engaging in related acts of dishonesty, or engaging in racially motivated  
18 misconduct.  
19

20 o. Maintaining a promotional system which penalizes officers for instances  
21 of unjustified use of firearms or unjustified use of force, violence, sexual  
22 innuendo, dishonesty, racial or ethnic bias, or other misconduct.

23 p. Requiring dismissal of officers involved in instances of sexual  
24 misconduct, and/or repeatedly involved in instances of unjustified use of firearms  
25 or unjustified use of force, violence, dishonesty, racial or ethnic bias, or other  
26 misconduct.  
27

28 q. Requiring that, where an investigation discloses any improper use of

1 force by an officer, particularly improper use of force which causes serious bodily  
2 injury as defined in Cal. Penal Code § 243, that matter should be referred to the  
3 District Attorney's Office for consideration of filing a criminal complaint.

4 r. Requiring that, whenever any officer has been judicially determined to  
5 have engaged in a violation of constitutional or civil rights, whenever a monetary  
6 settlement has been made or a judgment has been rendered based on the use of  
7 excessive force by an officer, or whenever any arrest has been made as to which  
8 an officer claims to be the victim of a crime:

- 9
- 10 i. a departmental investigation be conducted, regardless of any
  - 11 earlier investigation or the findings thereof;
  - 12 ii. The investigators review all evidence introduced at trial or
  - 13 provided to them by any person, and that they interview all
  - 14 known witnesses including Plaintiffs' trial experts, and
  - 15 interview Plaintiffs' counsel in any lawsuit alleging officer
  - 16 misconduct;
  - 17 iii. a full report be made to the Chief of Police and to the receiver
  - 18 or special master with recommendations for or against
  - 19 disciplinary or criminal sanctions against the officer.
  - 20

21 s. Directing that the defendants seek tangible ways (for example, through  
22 disciplinary measures) to establish the principle that racial and ethnic bias will not  
23 be tolerated within the Maywood-Cudahy Police Department, and that the  
24 defendants establish an adequate program of cultural awareness training and  
25 periodic retraining to eliminate racial or ethnic stereotypes for all officers.

26 t. Directing that the defendants seek tangible ways to establish the  
27 principle that gender bias and discrimination and sexual misconduct will not be  
28

1 tolerated within the Maywood-Cudahy Police Department, and that the  
2 defendants establish an adequate program of gender awareness training and  
3 periodic retraining to eliminate any and all gender discrimination and sexual  
4 misconduct.

5 10. For such other and further relief as the Court may deem proper.

6 DATED: May 12, 2008

7  
8 **CYNTHIA ANDERSON-BARKER**  
9 **ELLEN HAMMILL ELLISON**  
10 **OLU ORANGE**  
11 **ROBERT MANN**  
12 **DONALD W. COOK**  
13 **ATTORNEYS AT LAW**

14 By

15 

16 Donald W. Cook  
17 Attorneys for Plaintiffs  
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**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a jury trial.

DATED: May 12, 2008

**CYNTHIA ANDERSON-BARKER  
ELLEN HAMMILL ELLISON  
OLU ORANGE  
ROBERT MANN  
DONALD W. COOK  
ATTORNEYS AT LAW**

By   
Donald W. Cook  
Attorneys for Plaintiffs